

# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Nevada State Office  
P.O. Box 12000  
Reno, Nevada 89520-0006

IN REPLY REFER TO:  
1270/1400-990 (NV-951) P

May 24, 2000

EMS TRANSMISSION 05/24/2000  
Instruction Memorandum No. NV-2000-051  
Expires: 09/20/2001

To: BLM Employees, Nevada  
Attention: Records Managers

From: Deputy State Director, Support Services

Subject: Court Order Pertaining to the Retention of Documents that Relate to Tobacco  
Smoking

This instruction memorandum transmits WO Instruction Memorandum No.2000-123, Court Order pertaining to the Retention of Documents that Relate to Tobacco Smoking. The United States has filed suit against various manufacturers of tobacco products to recover money paid by the Federal Government for the care and treatment of smoking-related medical conditions and diseases. This court order directed the parties to preserve all documents and other records containing information potentially relevant to the subject matter of this litigation.

Be advised that all personnel are to preserve and not destroy or dispose of any documents or other records, including those recorded or stored electronically. The attached WO instruction memorandum lists the records that shall be retain and preserved.

If you have any questions regarding this memorandum, please contact the Nevada State Records Manager Joanne Woodruff, at 775-861-6461.

Signed By:  
Karl L. Kipping  
Acting, DSD, Support Services

Authenticated By:  
Patti Webber, Staff Assistant  
Division of Support Services

1 Attachment

1 - WO Instruction Memorandum No. 2000-123, dated April 28, 2000 (2 pp)

UNITED STATE DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
WASHINGTON, D.C. 20240

April 28, 2000

In Reply Refer To:  
1220, 1400-900 (700) P

EMS TRANSMISSION 05/18/2000  
Instruction Memorandum No. 2000-123  
Expires: 09/30/2001

To: SDs, CDS, and ADs

From: Assistant Director, Human Resources Management

Subject: Court Order Pertaining to the Retention of Documents that Relate to Tobacco Smoking

The United States has filed suit against various manufacturers of tobacco products to recover money paid by the Federal Government for the care and treatment of smoking-related medical conditions and diseases, and for equitable relief under the Racketeer Influenced and Corrupt Organizations Act. As a normal part of the litigation, the Federal district court judge presiding over this case issued an order on October 19, 1999, which directed the parties to the litigation to preserve all documents and other records containing information potentially relevant to the subject matter of this litigation. Each party is also responsible for preserving any physical evidence or potential evidence and will not conduct any testing that alters the physical evidence without notifying opposing counsel.

Please be advised that all personnel are to preserve and not destroy or dispose of any documents or other records, including those recorded or stored electronically, that may relate to:

- (a) the treatment of smoking-related conditions or diseases;
- (b) the cost to the U.S. government for providing treatment for smoking-related conditions or diseases;
- (c) payment of Federal benefits for smoking-related conditions or diseases;
- (d) research on such conditions or diseases;
- (e) grants or other payments made for research in connection with cigarettes or the tobacco industry;
- (f) youth smoking;
- (g) nicotine and addiction;
- (h) cigarette design, including attempts to develop or market a potentially safer cigarette;
- (i) the recovery or potential recovery of costs borne or benefits paid by the Federal Government for smoking-related conditions or diseases;

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- (j) litigation relating to tobacco or the tobacco industry to which the U.S. government or any department, agency, or other component thereof was a party or participated in any other manner;
- (k) promotion of tobacco growth or trade;
- (l) any enforcement action related to or proposed regulation of tobacco, smoking and health, or the tobacco industry;
- (m) smoking or no smoking policies for federal buildings and facilities;
- (n) smoking policies contained in federal employee union contracts;
- (o) smoking cessation programs provided to employees, clients or tribal members;
- (p) permits granted to tobacco companies for use of federal lands or resources;
- (q) permits granted to entities representing tobacco companies; for example, permits granted for the purpose of filming tobacco advertisements on federal lands, to the extent DOI or the bureau has knowledge of the purpose of the permit;
- (r) donations of tobacco company stock, money or other items from tobacco companies to DOI or bureaus;
- (s) transactions involving tobacco companies or tobacco company stock; for example, tobacco company stock received by DOI or the bureau in satisfaction of damage claims;
- (t) the sale of cigarettes on Indian reservations or in federal facilities or by concessionaires;
- (u) partnerships or sponsorships formed with tobacco companies; and
- (v) any other records pertaining to smoking of tobacco products, tobacco, tobacco companies or the tobacco industry.

Each office shall retain and preserve these documents until further notice. This includes short- and long-term (but not permanent) information located in local offices as well as in Federal Records Centers (FRCs). In the case of FRCs, offices should retrieve and store the information in local offices or notify FRCs of the pending litigation, and request that a freeze be placed on specific boxes.

Permanent records (such as directives) should remain in FRCs until transfer to the National Archives and Records Administration (NARA). No additional action is necessary. If the FRC requests approval to transfer the ownership and physical location of the records to the National Archives, copies of the records would still be retrievable from the NARA.

If there are any questions, please contact Ms. Phyllis McKoy, WO-700, MS 5628, at (202) 208-3898, or your State or Center representative.

Signed by:  
Warren Johnson, Jr.  
Assistant Director,  
Human Resources Management

Authenticated by:  
Robert M. Williams  
Directives, Records and  
& Internet Group, WO540